IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

Min Lun HSIEH

Conf.:

3381

U.S. Patent:

7,269,331

Group:

2621

Filed:

October 15, 2003

Examiner:

Helen Shibru

For:

APPARATUS AND METHOD OF DISPLAYING VIDEO

OUTPUT

NOTIFICATION OF ERRONEOUS PAYMENT OF SMALL ENTITY FEES UNDER 37 C.F.R. § 1.28

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is respectfully noted that the above-identified application no longer qualifies for small entity status under 37 C.F.R. § 1.27(a).

Small entity status was established with the filing of the application on October 15, 2003, and the small entity filing fee was properly paid. However, after the application was filed but prior to payment of the issue fee, the status of the assignee changed. The application therefore did not qualify for small entity status at the time the issue fee was paid.

It is therefore respectfully requested that the error be excused. The following items are being submitted to comply with the requirements of 37 C.F.R. 1.28(c):

(1) Separate submission for each application or patent.

U.S. Patent: 7,269,331 Attorney Docket No.: 0941-0853P

This request is being submitted in connection with U.S. Patent 7,269,331.

(2) Payment of deficiency owed.

(i) A \$700.00 small entity issue fee was paid on July 30, 2007, via Deposit Account No.

02-2448. The current large entity issue fee is \$1,440.00. Accordingly, the deficiency owed is

\$740.00.

(ii) The U.S. Patent and Trademark Office is authorized to charge \$740.00 to the

undersigned's Deposit Account No. 02-2448 as payment of the deficiency owed.

It is again noted that the failure to notify the U.S. Patent and Trademark Office of the change

in the entity status at the time the issue fee was paid was made in error, without the intent to deceive.

As it is believed that the requirements of 37 C.F.R. § 1.28(c)(1) and (c)(2) have been met, it is

respectfully requested that the error be excused and that the U.S. Patent and Trademark Office

forward appropriate notification to the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to

charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Date: January 28, 2008

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Joe McKinney Mundy

Registration No.: 32,334

P.O. Box 747

Falls Church, VA 22040-0747

(702) 205-8000

Attachment